

## Jack M McKinley

---

**From:** W.T. Womble <WT@womco.com>  
**Sent:** Friday, March 31, 2017 3:33 PM  
**To:** Jack M McKinley  
**Subject:** Savoy v Minstar and Kubota; K28924  
**Attachments:** Notice of Removal.doc

You must strike the first sentence of paragraph 9. I do not believe Kubota Tractor Corporation (KTC) was the manufacturer of the RTV. Likewise, it is unlikely that KTC participated in the loading of the RTV. Maybe another Kubota entity did, but not KTC.

Upon making those corrections, and with the assurance from your client that Kubota Tractor Corporation neither did nor fail to do any act that proximately or caused the incident or injuries in question, then Kubota Tractor Corporation consents to removal.

Tom

W. T. Womble, P.C. | 8 Eaton Square | Houston, Texas 77027  
713-882-7468 | [wt@womco.com](mailto:wt@womco.com) | [www.womco.com](http://www.womco.com)

---

**From:** Jack M McKinley [<mailto:jmm@ramey-chandler.com>]  
**Sent:** Friday, March 31, 2017 2:11 PM  
**To:** W.T. Womble  
**Cc:** Lee Thibodeaux  
**Subject:** Savoy v Minstar and Kubota; K28924

Tom:

I attach the draft of our Notice of Removal. As discussed, **our deadline is today** and you (as counsel for Kubota) consent to our removal of the lawsuit.

Reviewing the notice, you will see that it asserts that no cause of action lies against Kubota or Marubeni. On the facts stated to me by Minstar's Operations Manager, that is clearly true. If plaintiff moves to remand, we will file a response with supporting affidavits, confirming that the accident has nothing to do with the loading or with Kubota, but resulted from a driver's foot getting stuck on the gas pedal of an ATV that was being *driven off* the trailer.

**Please reply that Kubota consents to removal, so that we can file the attached notice.**

Jack McKinley  
Ramey, Chandler, Quinn & Zito, P.C.  
750 Bering Dr. #600  
Houston, Texas 77057  
direct: 713-260-1607  
fax: 713-266-1064